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REMARKS

Reconsideration is requested in view of the above amendments and the following remarks. Claim 3 has been revised to depend from claim 1. Claims 1 and 3-9 remain pending in the application.

Claim Objections

Claim 3 is objected to because it depends on a canceled claim. Claim 3 has been revised to depend from claim 1. Withdrawal of the objection is respectfully requested.

Claim Rejections – 35 USC § 103

Claims 1, 3-6, 8 and 9 are rejected under 35 USC 103(a) as being unpatentable over Kondo et al. (JP 2003-316292) in view of Hayashi et al. (US Pub. 2004/0065877). Applicants respectfully traverse this rejection.

Claim 1 requires a thin film transistor unit and a display element unit that are laminated on a substrate in this order. That is, claim 1 requires that the substrate, the thin film transistor unit, and the display element are positioned in an order such that the thin film transistor is disposed between the substrate and the display element. Claim 1 also requires that a pixel electrode formed on a substrate side of the display element unit also function as a drain electrode of the thin film transistor.

Because the thin film transistor is disposed between the display element and the substrate, structures for preventing gas and moisture from getting into the display element also help suppress effectively the permeation of gas and moisture into the thin film transistor, without increasing the number of constituent members of the display apparatus (see e.g., page 3, lines 23-27 and page 10, lines 13-20 of the specification, among other places).

Kondo et al. fail to teach or suggest a thin film transistor unit and a display element unit that are laminated on a substrate in this order, as required by claim 1. In fact, Kondo et al. discuss a display device including an active layer having a semiconductor layer 2, a drain electrode 3 and a source electrode 1, a light emitting layer having an organic electroluminescence element (EL) material layer 8, a transparent electrode 7 and

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an upper electrode 1 (which also acts as the source electrode 1 of the semiconductor layer 2), and a substrate 6 (see Kondo et al., paragraph [0020] and Figs. 2, 3(a)-3(c)). The Kondo et al. organic EL material layer 8, rather than a thin film transistor layer, is disposed between the semiconductor layer 2 and the substrate 6. This is completely distinct from the invention of claim 1.

Moreover, Kondo et al. also fail to teach or suggest that a pixel electrode formed on the substrate side of the display element unit also function as a drain electrode of the thin film transistor, as required by claim 1. In fact, in Kondo et al., the transparent electrode 7 of the organic EL material layer 8, which is formed on the substrate side, can in no way function as a drain electrode of the semiconductor layer 2. Therefore, the reference display device does not provide the teaching for which it is cited in the rejection.

Further, claim 1 requires that the pixel electrode have an area larger than that of the source electrode so as to cover an active layer of the thin film transistor on the source electrode substantially entirely. This arrangement also helps suppress the permeation of gas and moisture into the thin film transistor effectively (see, e.g., page 10, lines 13-20 and Table 1 of the specification, among other places).

The rejection appears to refer to Fig. 9 and paragraph [0081] of Hayashi et al. as suggesting the pixel electrode have an area larger than that of the source electrode so as to cover an active layer of the thin film transistor on the source electrode substantially entirely, as required by claim 1. However, Hayashi et al. merely discuss electrodes 2a, 4a for an organic EL device 3a, rather than a thin film transistor as required by claim 1.

In addition, the teachings of Kondo et al. in view of Hayashi et al. are not sufficient to suggest the arrangement of the display element and thin film transistor and their electrodes in the manner as required by claim 1. Nothing in the present record suggests that a reversal order of the semiconductor element 2 and the organic EL material layer 8 of Kondo et al. should be used, much less any reason to expect the advantages that are enjoyed by the present invention, suppressing effectively the permeation of gas and moisture into the thin film transistor without increasing the number of constituent members of the display apparatus, could be achieved.

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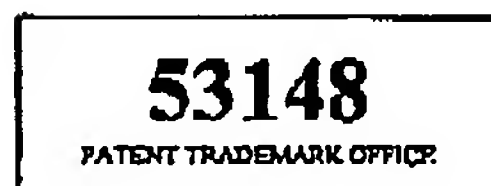
For at least these reasons, claim 1 is patentable over Kondo et al. in view of Hayashi et al. Claims 3-6 and 8-9 depend from claim 1 and are patentable along with claim 1 and need not be separately distinguished at this time. Applicants are not conceding the relevance of the rejection to the remaining features of the rejected claims.

Claim 7 is rejected under 35 USC 103(a) as being unpatentable over Kondo et al. in view of Hayashi et al. and further in view of Young (US Pub. 2002/0139981). Applicants respectfully traverse this rejection. Claim 7 depends from claim 1 and is patentable over Kondo et al. in view of Hayashi et al. and further in view of Young for at least the same reasons discussed above regarding claims 1, 3-6, 8 and 9. Young does not remedy the deficiencies of Kondo et al. in view of Hayashi et al. Applicants are not conceding the relevance of the rejection to the remaining features of the rejected claim.


In view of the above, favorable reconsideration in the form of a notice of allowance is respectfully requested. Any questions regarding this communication can be directed to the undersigned attorney, Douglas P. Mueller, Reg. No. 30,300, at (612) 455-3804.

Respectfully submitted,

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